

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims supersedes any previous listing. Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested. It is requested that this Amendment be entered under Rule 116 in that it places this application in condition for allowance.

Claim amendments/Status

In this response amendments are proposed to claim 10. These amendments distinguish over the art and places claim 10 in allowable form. Entry of these amendments at this of the prosecution is solicited in that, as noted above, they place the claim in allowable form for the reasons which will be advanced below.

As clear from the Final rejection at page 5, third last line, and page 6, first full paragraph, text processing has been considered and therefore the amendments to the claims do not introduce any new matter or raise any issues that would require reconsideration or search.

Rejections under 35 USC § 102/103

The rejection of:

- 1) claims 10-12 and 17 remain rejected under 35 USC § 102(a) as being anticipated by Alhir (Learning UML, published July 2003); and
- 2) claims 13 and 15-16 rejected under 35 USC 103(a) as being unpatentable over Alhir and further in view of "Bringing It All Together" (July 2002, hereinafter BIAT); and
- 3) claims 18 remains rejected under 35 USC 103(a) as being unpatentable over Alhir and further in view of Pastor et al. (US 6681383, filed 4 April 2000, hereinafter Pastor); are respectfully traversed

Rejections under 35 USC § 102

Applicants respectfully disagree with the Examiner and still insist on the fact that ALHIR discloses a specific modelling for building up a system: this reference discloses in section 3.1

two kinds of modeling: "class modeling" and "object modeling". As indicated in Chapter 3, second paragraph (page 1 of 20), "class modeling is a specialized type of modeling concerned with the general structure of a system", whereas "object modeling is a specialized type of modeling concerned with the structure of a system at a particular point in time."

This reference does not forecast any other kind of modelling and does not suggest any documentation production or the use of documentary fragments and of a word processor, the more as this known method is focused only on building a system (see e.g. the first line of Chapter 3 ("This chapter focuses on class and objects diagrams,..."). Moreover, the block-diagrams of the modelled systems (packages in figure 3-41, page 3 of 10 and sub-systems in figure 3-42, page 5 of 10 and figure 3-43, page 7 of 10) do not comprise any documentation block or fragment. Moreover, sub-chapter 3.4, relating to generalizations and realizations, does not disclose or suggest any documentation.

Rejections under 35 USC § 103

It is submitted that the subject matter of the various claims was commonly owned by the Inventors.

It is further advanced that the BIAT reference merely relates to the use of Rhapsody. We do not claim this use in and of itself, but for producing documentation. Since, as clarified hereabove, Alhir does not produce any documentation, it is obvious that its combination with BIAT cannot produce documentation.

As asserted in the previous response "Pastor describes only a system for producing a conceptual model, and the data filtering it discloses comprises a formula and a list of auxiliary variables. On the contrary, our filter deals with documentation fragments and consists in selecting a fragment type on a screen display (see figure 2)".

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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A handwritten signature in cursive script that reads "Kenneth M. Berner".

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